

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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Dr. VELTON C. WHITE and DONNA WHITE,

Plaintiffs,

v.

Case No. 07-CV-892

MICHAEL C. MARSHALL,  
SUPER SPRING ORTHODONTICS, LLC,  
SPEEDALIGNERS, LLC,  
NIGHTSHIFT, LLC,  
and DANIEL L. BISHOP,

Defendants.

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**ORDER**

In response to defendants Michael Marshall and Daniel L. Bishop's request for appointment of counsel, the court articulated that as a threshold matter, defendants needed to demonstrate that they had independently sought counsel. They have now done so. As specified in the court's previous Order, the court determined that defendants would likely be incapable of trying the case themselves, and that the presence of counsel would likely affect the outcome of the case. (See Order dated May 7, 2010, Docket #103). Given that defendants have made the required threshold showing, the court will endeavor to secure counsel for defendants, provided that defendants are financially eligible for such assistance. In order to determine defendants' financial eligibility, defendants should provide the court with sworn statements, under penalty of perjury, as to their finances. In order to ensure that sufficient information is provided and that the proper format is

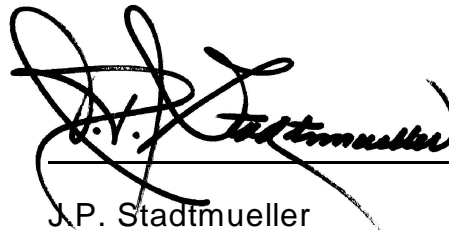
followed, the court would encourage defendants to utilize the "Proceed w/o Fee Prepayment"<sup>1</sup> form as a template for their submissions. Additionally, the court directs defendants to file a letter enumerating each firm they have contacted regarding pro bono representation, therefore ensuring that the court's efforts are not duplicative of defendants' previous efforts. Lastly, because the court denied defendants' earlier motion for appointment of counsel, defendants should simply file another motion requesting appointment of counsel.

Accordingly,

**IT IS ORDERED** that defendants Michael Marshall and Daniel Bishop **COMPLY** with the directions set forth in this Order within 20 days of the date of the filing of this Order.

Dated at Milwaukee, Wisconsin, this 25th day of May, 2010.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller  
U.S. District Judge

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<sup>1</sup> The form can be found on the website for the U.S. District for the Eastern District of Wisconsin (<http://www.wied.uscourts.gov>) by clicking on the Form Repository tab, and then clicking on "Civil Forms."